

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**IN RE: GOOGLE DIGITAL ADVERTISING
ANTITRUST LITIGATION**

No. 1:21-MD-3010 (PKC)

This Motion Relates To:

GANNETT CO., INC.

No. 1:23-cv-05177

Plaintiff,

- against -

GOOGLE LLC AND ALPHABET INC.,

Defendants.

**DEFENDANTS GOOGLE LLC AND ALPHABET INC.'S
NOTICE OF MOTION TO DISMISS
GANNETT CO. INC.'S COMPLAINT**

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Alphabet Inc.*

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendants Google LLC and Alphabet Inc.'s Motion to Dismiss Gannett Co. Inc.'s Complaint in the above-captioned matter, which is being submitted contemporaneously with this Notice of Motion, Defendants Google LLC and Alphabet Inc. will move this Court, before the Honorable P. Kevin Castel, United States District Judge for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, at a date and time to be set by the Court, for an Order dismissing with prejudice the portions of the federal antitrust claims set forth in Gannett Co. Inc.'s Complaint, Case No. 23-cv-05177, ECF No. 1, related to Exchange Bidding, Encrypting User IDs, Accelerated Mobile Pages, Minimum Bid to Win, Enhanced Dynamic Allocation, and line-item capping, on the ground that for each of these claims, Gannett Co. Inc. has failed to state a claim upon which relief can be granted. *See* Fed. R. Civ. P. 12(b)(6); *Ashcroft v. Iqbal*, 556 U.S. 662 (2009); *Bell Atl. Corp. v. Twombly*, 550 U.S. 544 (2007).

Dated: September 8, 2023

Respectfully Submitted,

/s/ Justina Sessions
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